

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

AMERICAN FAMILY INSURANCE)	
COMPANY,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION
)	FILE NO. 1:16-cv-04023-RWS
ABDULMOHSEN ALMASSUD and)	
LUISA CRUZ MEZQUITAL,)	
)	
Defendants.)	

**ALMASSUD’S RESPONSE TO AMFAM’S STATEMENT
OF ADDITIONAL FACTS**

Defendant Abdulmohsen Almassud (“MJ”) responds to Plaintiff American Family Insurance Company’s (“AmFam”) Statement of Additional Facts (doc 317) as follows:

1.

STATEMENT: On September 8, 2016, AmFam delivered a reservation of rights letter to Almassud. Doc 197-1, pp. 70-74; Almassud Dep. 325:22-326:12; 357:2-9.

RESPONSE: Admitted.

2.

STATEMENT: In the reservation of rights letter, AmFam stated: “AmFam expressly reserves its right to seek reimbursement from the insured with regard to the cost of defense, any settlement, any judgment, and/or any other expense incurred on behalf of the insured with regard to those portions of any claim that are or may not be covered.” Doc 197-1, p. 73.

RESPONSE: Admitted, but denied that MJ accepted these terms. As the document itself shows, AmFam’s terms of acceptance required MJ to sign an acknowledgement, which MJ did not do. (Doc 197-1, p. 74)

3.

STATEMENT: AmFam incurred expenses in defending Almassud in the action Luisa Cruz Mezquital v. Abdulmohsen Almassud, State Court of Fulton County, Georgia, Civil Action File No. 14-ev-1930 (the “Underlying Case”). See Exhibits 2-3 to AmFam’s Brief in Support of its Motion for Leave to Amend the First Amended Complaint.

RESPONSE: Admitted.

4.

STATEMENT: AmFam incurred expenses in resolving the Underlying Case. See Exhibit Filed Under Seal in connection with AmFam’s Brief in Support of its Motion for Leave to Amend the First Amended Complaint.

RESPONSE: Admitted.

Respectfully submitted January 10, 2020.

/s/ Richard E. Dolder
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CERTIFICATE OF SERVICE

I hereby certify that the foregoing **Almassud's Response to AmFam's Statement of Additional Facts** was filed electronically with the Clerk of Court using the CM/ECF system, which will automatically send e-mail notification of such filing to the attorneys of record for all parties. I further certify that the foregoing was prepared in Times New Roman 14pt font and otherwise complies with Local Rule 5.1.

Respectfully submitted January 10, 2020.

/s/ Richard E. Dolder
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